

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

United States of America

Plaintiff

vs.

5:99-cv-708

Agway, Inc., et al.

Defendants

vs.

Schenectady International, Inc.(nka/SI Group, Inc.)

Third Party Plaintiff

vs.

**Bendix Corporation (nka/Honeywell International, Inc./Bendix);
Watervliet Arsenal; Owens-Corning Fiberglass
Corporation, et al.**

Third Party Defendants

JUDGMENT DISMISSING ACTION BY REASON OF SETTLEMENT

The Court having been advised by counsel that the above entitled action has been settled between the last remaining third parties, as identified in this case caption, it is unnecessary for the action to remain on the Court's open docket. Therefore, it is

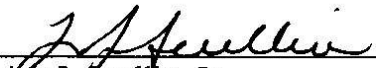
ORDERED that the action is dismissed **WITHOUT PREJUDICE** and that the Court will retain jurisdiction to vacate this order and reopen the action for good cause shown that the settlement was not consummated and that further litigation is necessary, upon a motion by any party **within 60 days from the date of this order**. It is further

ORDERED that if no motion is filed, the dismissal will become **WITH PREJUDICE on the 61st day after the date of this order**. It is further

ORDERED that upon reaching a final settlement, the parties shall electronically file a stipulation of discontinuance and/or a settlement agreement.

IT IS SO ORDERED.

Date: February 2, 2007
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge